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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/064,385	07/09/2002	Stone Cheng	9585-0322	4026
73552 7590 08/22/2008 Stolowitz Ford Cowger LLP 621 SW Morrison St Suite 600 Portland, OR 97205				
EXAMINER HAN, QI				
ART UNIT PAPER NUMBER 2626				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/064,385

Applicant(s)

CHENG ET AL.

Examiner

QI HAN

Art Unit

2626

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 July 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4, 6-8, 10-13, 15, 16 and 18-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6-8, 10-13, 15-16 and 18-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Response to Amendment

2. This communication is responsive to the applicant's amendment filed on 07/02/2008. The applicant(s) amended claims 1-4, 7, 10-13, 15 and 18-20, cancelled claims 9, 14 and 17, added new claims 22-23 (see the amendment: pages 2-5).

It is also noted the petition (filed on 07/02/2008) for revival of the application was granted on 07/23/2008.

The examiner withdrew the previous claim rejection under 35 USC 112 1st and 2nd, because the applicant amended or cancelled the corresponding claims.

Response to Arguments

3. Applicant's arguments filed on 07/02/2008 with respect to the claim rejection under 35 USC 103, have been fully considered but are moot in view of the new ground(s) of rejection, since the amended claims introduce new issue/new matter, which change the scope of the claims. It is noted that the previous cited reference(s) is/are still applicable to the prior art rejection for the newly amended/added claims with new ground (see detailed rejection below).

In response to applicant's arguments with respect to claims 1, 10 and 18 that "Hetherington fails to describe how the application would operate, or how the interface would be

reloaded with text, if the language specific-files were replaced with external language files”, “Since Hetherington's functional and language components are provided as sub-parts of the same software application (col. 1 lines 27-31, and col. 3 lines 59-65), it follows that a modification of either of the functional or language components would also result in a modification of the software application itself” and “Hetherington, on the other hand, teaches that the language component is integral to the software application, and as described above” (Remarks: page 7, paragraph 5 to page 8, paragraph 2), the examiner respectfully disagrees with applicant's arguments and has a different view of the prior art teachings and the claim interpretations.

By reviewing the claims, specification, and the prior art teachings, the examiner believes the rejection based on the combined prior art teachings satisfies all the claimed/argued limitations and provides proper motivation/obviousness for combining or modifying the teachings, based on the broadest reasonable interpretation of claims, in light of the specification. Further, it is noted that the claimed/argued limitation of “external language file(s)” lacks specific definition, so that it can be interpreted as any language related file (or software/program component) **external to a computer**, user interface, operation system, application, other software component, or combination thereof.

It is also noted that HETHERINGTON discloses ‘displaying dialogs...help text, and other text-based user interface components’, ‘the appropriate user-interface text-storage object version may be selected at run time from a library of resource files (language files)’ (col. 4, lines 61-67), and the system includes ‘peripheral devices such as nonvolatile storage, which may be a harddisk drive’ and ‘might also include a compact disk’ (col. 3, lines 25-40). One of ordinary skill in the art would have readily recognized that computer files or library (such as text-based

user interface components, user-interface text-storage object, library of resource files), would be stored in either internal or external medium, such as a hard disk or a compact disk (so as being internal or external), and processing (storing, accessing, or modifying) data in an external file would be in the same way as processing data in an internal file, and the result of the processing would be predicable, i.e. without changing data itself). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use/process either internal or external language file(s) (such as user-interface text-storage object (file) and/or a library of resource files) for dynamic language switching, because the above processing mechanism (functionality or operation) applies equally regardless of the particular type of signal bearing medium used to actually carry out the distribution' (HETHERINGTON: col. 5, lines 40-51).

In addition, it is noted that Hetherington discloses separate 'language-specific UI component (language files) 206' and 'a library 208 of different version of the language-specific components' 'application 1 (or n)', 'operation system' (Fig. 2A and col. 3, line 59 to col. 4, line 8). One of ordinary skill in the art would have readily recognized that the components and the library would be clearly **external** to the applications and the operating system, which can also be properly read on the claimed/argued limitation. Moreover, Hetherington teaches that 'the mechanism (dynamic language switching software, including language-specific components and the related library)... is capable of being distributed... in a variety of forms', which suggests the related file(s) being external and further supports the examiner's rejection.

For above reasons, the applicant's arguments are not persuasive and the rejection is sustained.

Claim Rejections - 35 USC § 112

4. Claims 19 and 22-23 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Regarding claim 19, the amended limitation “the plurality of language strings comprise multiple translations of the original text” introduces new subject matter, because the limitation is not specifically disclosed in the original specification.

Regarding claims 22-23, the newly added limitations “the external language file is externally located from the application” and “the external language file recites in a computer system from the application” introduce new subject matter, because the limitations are not specifically disclosed in the original specification. It is noted that the referenced contents of the specification (page 5, lines 1-17) provided by the applicant (see Remarks: page 8, paragraph 6) **do not** fully or specifically support the newly added limitations and nowhere in the specification specifically describes these limitations.

Claim Rejections - 35 USC § 103

5. Claims 1-4, 6-8, 10-13, 15-16 and 18-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over HETHERINGTON (US 6,396,515 B1) hereinafter referenced as HETHERINGTON.

As per **claim 1**, HETHERINGTON discloses ‘method, system and computer program product for dynamic language switching in user interface menu, help text, and dialogs’ (title), comprising:

“starting an application, the application having a user interface comprising original text drawn in a first language” (col. 2, lines 34-46, ‘user interface text—menu and button labels, dialog messages help text ...(necessarily including original text)’, ‘one or more language-specific files containing all user interface text for an application may be dynamically selected during initialization (starting) of the application’, wherein the text used in initialization of the application reads on original application);

“receiving a selection of a second language from among a plurality of languages” (col. 2, lines 48-51, ‘if a language change request (selection) is received’, which reads on the claimed limitation; col. 3, lines 65-67, ‘various languages’);

“identifying an [external] language file associated with the second language, the [external] language file comprising a plurality of language strings” (col. 2, lines 48-51, ‘the user interface may be reloaded with text (language strings) supplied from a different language-specific file pursuant to the language change request (i.e. identifying an language-specific file)’; also see col. 5, lines 29-37); and

“redrawing the user interface in the second language by replacing the original text drawn the user interface with one or more of the language strings of the [external] language file without closing the application” (col. 4, lines 9-39, ‘only the presentation of the information within the user interface is changed (redrawing/replacing)’; ‘changes in user interface text (one or more of the language strings) may be achieved dynamically without shutting down (closing) the

underlying application...' and 'change user interface display (redrawing) languages on the fly...'; col. 2, lines 35-52, 'dynamic language switching (replacing)'; col. 4, lines 9-10, wherein 'working text', such as 'English', can also be read on original text).

HETHERINGTON does not **expressly** disclose whether the language file (stated above) is **external** or not. However, HETHERINGTON further discloses 'displaying dialogs...help text, and other text-based user interface components', 'the appropriate user-interface text-storage object version may be selected at run time from a library of resource files' (col. 4, lines 61-67), and the system includes 'peripheral devices such as nonvolatile storage, which may be a harddisk drive' and 'might also include a compact disk' (col. 3, lines 25-40). One of ordinary skill in the art would have readily recognized that computer files or library (such as text-based user interface components, user-interface text-storage object, library of resource files), would be stored in either internal or external medium, such as a hard disk or a compact disk (so as being internal or external), and processing (storing, accessing, or modifying) data in an external file would be in the same way as processing data in an internal file, and the result of the processing would be predictable, i.e. without changing data itself). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use/process either internal or external language file(s) (such as user-interface text-storage object (file) and/or a library of resource files) for dynamic language switching, because the above processing mechanism (functionality or operation) applies equally regardless of the particular type of signal bearing medium used to actually carry out the distribution' (HETHERINGTON: col. 5, lines 40-51).

As per **claim 2** (depending on claim 1), HETHERINGTON further discloses that "replacing portions of the original with one or more language strings comprising words

associated with the second language” (as stated in claim 1; also see col. 4, lines 61-67 and Figs. 2C-2D).

As per **claim 3** (depending on claim 1), HETHERINGTON further discloses that “modifying the plurality of language strings to include the one or more language strings, wherein the plurality of language files are configured to be modified without modifying the application” (as stated in claim 1; Figs 2C-2D and col. 4, lines 9-28, ‘only the presentation of the information within the user interface is changed (modified)...’, ‘changes in user interface text may be achieved dynamically without shutting down the underlying application, ...without requiring that a separate executable version of the application be employed (read on without modifying the application).

As per **claim 4** (depending on claim 1), the rejection is based on the same reason described for claim 3, because it also reads on the limitation(s) of claim 4, wherein the recited features from HETHERINGTON is applied equally to the internal and external files, as stated above.

As per **claim 6** (depending on claim 1), HETHERINGTON further discloses that “the plurality of language strings comprise words” (Figs. 2C-2D and col. 3, lines 59-56-62, ‘help text (including words)’).

As per **claim 7** (depending on claim 1), HETHERINGTON further discloses “the plurality of language strings comprise a plurality of different languages” and “the second language is selected from the plurality of different languages (Figs. 2C-2D and col. 3, line 65 to col. 4, line 21).

As per **claim 8** (depending on claim 1), HETHERINGTON further discloses that “the application is operated on an operating system” (Fig. 2A, blocks 202 and 204).

As per **claims 10-13 and 15-16**, they recite an apparatus. The rejection is based on the same reasons described for method claims 1-4 and 7-8 respectively, because the method claims and apparatus claims are related as apparatus and method of using same, with each claimed element's function corresponding to the claimed method step.

As per **claims 18-21**, the rejection is based on the same reason described for claims 1-2 and 7-8, because it also reads on the limitations of claims 18-21 respectively.

As per **claim 22** (depending on claim 18), as best understood in view of rejection under 35 USC 112 1st (see above), HETHERINGTON further discloses “the external language file recites in a computer system from the application” (Fig. 2A and col. 3, lines 65-67, ‘languages-specific components’ and ‘a library of different versions of the language-specific components 208’ that are external to the applications and operating system).

As per **claim 23** (depending on claim 1), the rejection is based on the same reason described for claim 22, because it also reads on the limitation of claim 23.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the

mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Please address mail to be delivered by the United States Postal Service (USPS) as follows:

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to QI HAN whose telephone number is (571)272-7604. The examiner can normally be reached on M-TH:9:00-17:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richmond Dorvil can be reached on (571)-272-7602. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2626

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

QH/qh

August 14, 2008

/David R Hudspeth/

Supervisory Patent Examiner, Art Unit 2626